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RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY
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RUEWMFD/FBI WASHINGTON DC PRIORITY
RUEHUB/USINT HAVANA PRIORITY 0225
RUEAHLA/HOMELAND SECURITY CENTER WASHINGTON DC PRIORITY
RHEFHLC/HQS DHS WASHDC PRIORITY
RUEKJCS/SECDEF WASHINGTON DC PRIORITY
RUEHUB/USINT HAVANA PRIORITY 0226

C O N F I D E N T I A L SECTION 01 OF 04 SANTO DOMINGO 000156

SIPDIS

DEPARTMENT FOR HUMAN SMUGGLING AND TRAFFICKING CENTER,
INL/HSTC,
DEPARTMENT FOR EEB/TRA/OTP KRISTIN GUSTAVSON AND BRIAN
SILER, DEPARTMENT PLEASE PASS TO DEPT OF TRANSPORTATION FOR
FAA,
LA PAZ FOR A/DCM

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TAGS: [ECON](#) [EAIR](#) [KCRM](#) [DR](#)

SUBJECT: (U) HUMAN SMUGGLING VIA AIR APPEARS BROADER THAN
PREVIOUSLY BELIEVED

Classified By: Roland W. Bullen, Charge d'Affaires, Reasons 1.4(b), (d)

11. (U) SUMMARY: Dominican Civil Aviation Institute (IDAC) officials told EmbOffs January 28 that two recent incidents of charter flights ferrying illegal migrants into or toward the United States have revealed the existence of well-organized networks of human smugglers using Dominican airspace and airports. The officials said they were actively investigating the two incidents as well as reaching out to related agencies for cooperation in cracking down on these illicit trips. IDAC also reported the suspension of Dominican airline CaribAir following numerous incidents, including an illegal charter that crash landed in Wilmington, North Carolina. END SUMMARY.

Looking for a lost plane, investigators find much more

12. (U) On December 15, a charter flight carrying 10 Dominican passengers and a Dominican pilot flying with a suspended license took off from the Cibao International Airport in Santiago (STI). The plane, a U.S.-flagged Trilander (tail number N650LT), was en route to Mayaguana, Bahamas, when the pilot, Adriano Jimenez, issued a distress signal that was detected by Miami International Airport's control center. The United States Coast Guard and Dominican Navy searched in vain the international waters where the aircraft was believed to have ditched and all eleven aboard were presumed dead.

13. (U) While air and sea assets searched the waters for trace of the plane, investigators on land began scrutinizing the legality of the trip. Concerned family members of the missing passengers acknowledged that the group was heading to the Bahamas in the hopes of reaching the United States illegally. One mother told the media that her family had paid USD16,000 for the voyage. A press investigation into the pilot's history revealed serious criminal charges and the

eventual loss of his license (he registered the Mayaguana flight using a U.S. student license number, which is illegal). According to the newspaper Listin Diario, Jimenez has a lengthy rap sheet; since being expelled from the Dominican Airforce in 1983, he was charged with stealing an USD80,000 car, arranging illegal migration to Puerto Rico via boat, and assault and attempted murder, among other charges.

14. (C) IDAC officials told EmbOffs they subsequently received reports from contacts in Mayaguana indicating that the plane landed safely in the Bahamas and the passengers remained in hotels there for a few days before departing for Bimini, Bahamas. Corroborating this report was the fact that the passengers' family members, many of who had been outspoken in the days following the disappearance, suddenly stopped calling to ask for updates of their loved ones' fate. Although the press reported extensively on the incident and Jimenez' checkered past, news that the disappearance may have been faked was not widely reported.

15. (C) IDAC responded quickly to address the incident, suspending three technicians working at the airport who apparently facilitated the trip. IDAC security supervisor Cesar Cotes told EmbOffs that one of the suspended officials provided him with a detailed account of how this flight, as well as other similar trips, took place. He characterized the Jimenez flight as one of a series of smuggling flights that took off from STI, as well as La Romana International Airport (LRM) and Samana El Catey International Airport (AZS). He said the smuggling rings rely on operatives throughout

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the region, noting the Jimenez case as an example. Jimenez is Dominican and the plane's owner, Atlantic Aviation, is based in Puerto Rico. The flight's destination was the Bahamas and the migrants final destination was Miami.

Eyewitnesses and a cooperative Cuban lead to arrest

16. (U) In a separate incident on January 16, a U.S.-flagged Cessna 172 (tail number N6028Y) departed El Portillo Airport (EPS) in Las Terrenas for Punta Cana International Airport (PUC). As it was a domestic flight, the pilot, Roberto Henriquez Bougeois, did not file a flight plan. Complaining that bad weather prevented him from landing in Punta Cana, however, Bougeois appeared unexpectedly in Puerto Rico, landing at Eugenio Maria de Hostos Airport (MAZ) in Mayaguez without announcing his plane's approach to air traffic controllers there. He never shut down the engine, however, departing immediately for Rafael Hernandez Airport (BQN) in Aguadilla, where Bougeois was subjected to inspection. At Aguadilla, he declared that he carried no passengers.

17. (C) Eyewitness accounts from a controller at EPS and observers at MAZ, however, dispute this assertion. The EPS controller told IDAC investigators that Bougeois had requested permission to take off with 5 passengers) three adult females and two children. IDAC provided EmbOffs with the investigation report, which contains this account. An ICE investigation in Puerto Rico has also obtained reports from individuals at MAZ who saw five passengers exit the aircraft before the plane took off again. The witnesses said the passengers walked immediately to awaiting vehicles where they were greeted enthusiastically by what appeared to be family members. Further corroboration is being provided by one of the adult passengers, a Cuban woman who declared herself to officials in order to request asylum. According to the ICE investigation, she has provided testimony that Bougeois smuggled her and the four Dominican nationals to Puerto Rico.

18. (SBU) On January 17, Bougeois returned to the Dominican Republic, flying a different airplane (tail number N3377X) and in the company of William Penalo, the owner of the plane

used in the smuggling activity. Both individuals were apprehended by Dominican authorities and are expected to be charged under the Dominican Republic's Human Smuggling and Trafficking Law 137-03. Post's ICE Office is working closely with Dominican prosecutor Frank Soto. On January 30, IDAC advisor Franklin Polanco told EconOff that Bougeois had been sent to jail while Penalo was awaiting a court date.

Winged Yolas

¶9. (SBU) Illegal maritime migrant travel from the Dominican Republic to Puerto Rico via small boats known as "yolas" has been a problem for decades, with thousands attempting to escape the dire conditions of poverty in the Dominican Republic. Multiple U.S. agencies at post work to interrupt this flow of traffic through publicity campaigns, coordination with the Dominican Navy and Coast Guard interdictions in the Mona Strait, and have met increasing success in recent years. Until these incidents, the use of small planes to transport illegal migrants was not considered a widespread problem and Post has not actively combated this activity in the past. The two incidents appear not to be

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connected, suggesting that multiple smuggling rings are operating in the country, carrying not only Dominicans but also foreigners to or toward the United States.

¶10. (SBU) In addition to the suspension of the technical officials at STI following the "missing" plane incident, IDAC also convoked and hosted a meeting with top officials from other agencies that engage in airport and port security, migration, customs and related law enforcement activities. IDAC advisor Franklin Polanco described the meeting as the first of its kind and the first step toward an information-sharing agreement similar to U.S. efforts following the 2001 terrorist attacks. He said the meeting had been very positive and urged U.S. material and technical support for this effort, but made no specific request at this time.

¶11. (C) Polanco told EconOff that IDAC is investigating additional leads on possible human smuggling networks that rely on air travel via the Dominican Republic. One company that appears to be operating charter routes using private aircraft is Ficus Archs, S.A., a Panamanian company, Polanco said. This company sells seats on its 12-passenger Challenger (tail number N858PJ).

No air for Caribair

¶12. (C) On January 23, IDAC suspended the license of Dominican airline Caribair for one year. The 23-year-old airline, which owns six aircrafts and two hangers at La Isabela International Airport (JBQ) in Santo Domingo and operated regular flights to Port Au Prince and Aruba, was forced to cease operations immediately. In its report, IDAC cited multiple operational irregularities. Caribair has been the subject of scrutiny almost since its inception, and has received numerous suspensions ranging from 15 days to three months in the past. In 2007, all of its pilots were suspended for lacking required training. Also that year, Caribair was fined for operating commercial flights in private aircrafts. Post law enforcement agencies have also been investigating alleged Caribair connections to narcotics trafficking.

¶13. (C) After a private aircraft owned by Caribair owner Rafael Rosado and operated by Caribair crash landed in Wilmington, North Carolina, on January 3, it came to light that Caribair was regularly operating commercial and charter flights under the guise of private flights. The passengers

of this flight, which was declared to authorities listed as a private trip, stated that they had paid to fly and showed investigators a Caribair receipt as proof, Polanco said. An FAA review that followed the Wilmington incident also revealed that the pilots possessed expired licenses and were missing required training.

¶14. (C) Polanco portrayed the Wilmington incident as the straw that broke the camel's back, saying that the pattern of illegal activities required IDAC to take a strong action to sanction the airline. He noted four prior accidents, all without fatalities, that involved airplanes operated by Caribair. IDAC suspended the airline for one year, with the clause that Caribair cannot reapply for certification for at least nine months, effective January 23. Caribair is appealing the sanction.

¶15. (C) In an unrelated incident, Post's Consular Section

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revoked Rosado's B1/B2 visa under Section 212(a)(6)(E) of the Immigration and Nationality Act (INA) on January 20 when visa applicant Eliana Danissa Feliz Torres presented a letter signed by Rosado stating that Feliz was an employee of Caribair. During questioning, Feliz acknowledged that she did not work for Caribair or for Rosado but that her boyfriend, a friend of Rosado's, had asked Rosado to write the letter in her support. Rosado's human smuggling ineligibility resulting from this case is permanent and there is no waiver available. Neither the press nor IDAC appear to be aware of this.

¶16. (SBU) Following the suspension of his company's license, Rosado contacted FAA Aviation Safety Inspector and International Coordinator Daniel Castro by telephone. He asked Castro repeatedly what recommendation the FAA had provided to IDAC regarding his company, and Castro stated that no recommendation had been provided; IDAC had reached its determination independently of the U.S. agency. Rosado also contacted LegAt at post to complain about his situation. Rosado did not mention the visa issue in his conversation with Castro, but did when he spoke with LegAt.

Comment

¶17. (C) The discovery of widespread human smuggling via Dominican airspace is alarming. While Puerto Rico is apparently receiving some of this traffic, the better established smuggling route appears to center on a final entry via the crowded maritime routes between Bimini and the Florida coast. The GoDR's initial response to this serious problem is encouraging; inter-agency coordination is essential to reduce the viability of these smuggling networks. IDAC works closely with the Embassy and the FAA and has promised to keep the USG informed of subsequent developments in its investigations. The GODR worked long and hard to regain its Category 1 status and is sensitive to any problems which could threaten that status. End Comment.
BULLEN